

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIAM FRANCIS ELLWOOD,

Plaintiff,

Case No. 2:21-cv-11588

HONORABLE STEPHEN J. MURPHY, III

v.

INFINITY HOME LENDING, LLC,

Defendant.

\_\_\_\_\_/

**ORDER DISMISSING CASE WITHOUT PREJUDICE**

Plaintiff filed a notice on the docket that the parties reached a settlement agreement. ECF 17. Because of the settlement, there is no longer a case or controversy. The Court will therefore dismiss the case without prejudice and require the parties to file closing documents dismissing the case with prejudice no later than February 21, 2022. The Court will also deny the pending motion to dismiss, ECF 13, as moot. The Court will retain jurisdiction to resolve any disputes over settlement matters, including reopening the case and the motion to dismiss if the settlement ultimately fails. The Court is most appreciative of the parties' effort to resolve the case and to keep the Court apprised of developments.

**WHEREFORE**, it is hereby **ORDERED** that the case is **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the motion to dismiss [13] is **DENIED** as **MOOT**.

**IT IS FURTHER ORDERED** that the parties must **FILE** their closing documents dismissing the case with prejudice no later than February 21, 2022.

**SO ORDERED.**

s/ Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: January 19, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 19, 2022, by electronic and/or ordinary mail.

s/ David P. Parker  
Case Manager